

**REMARKS**

The response filed January 19, 2006 for the above-captioned application was deemed non-responsive in accordance with the communication mailed April 4, 2006, in that the rejection of claims 1, 3-13 and 39-50 under 35 U.S.C. §103(a) over White et al. (U.S. Patent No. 4,328,974) in view of Mercuri et al. (U.S. Patent No. 5,902,762) and further in view of Feldman et al. (U.S. Patent No. 5,622,774). In fact, all claims 1, 3-13 and 39-50, as amended in the January 19 response, are clearly patentable over the combination of White et al., Mercuri et al. and Feldman et al. Accordingly, reconsideration and allowance of all pending claims 1, 3-13, 29, 30 and 34-50 is respectfully requested.

As previously noted, the claims make clear the fact that, in referring to "flexible graphite sheets," Applicants are referring to sheets of compressed particles of exfoliated graphite. This is clear from the specification at, *inter alia*, pages 5 and 6. In addition, in referring to different "zones" of the graphite sheets, Applicants are referring to distinct sheets of compressed particles of exfoliated graphite in the inventive composite.

Nothing in the cited references, even with the addition of the newly-found Feldman et al. patent, even remotely suggests the claimed invention.

More particularly, White et al. describes a packing material for a stuffing box for, e.g., a valve, utilizing, in part, different types of graphite rings. As a first point, nothing in White et al. discloses or suggests the use of compressed particles of exfoliated graphite for any element in the disclosed packing system. More importantly, nothing in the cited White et al. patent suggests a material useful as a substrate for an embossed graphite sheet which comprises a composite of a plurality of sheets of compressed particles of exfoliated graphite, where at least one of said plurality of sheets has a characteristic different from at least one other of said plurality of sheets.

Mercuri et al. describes a sheet of compressed having embedded ceramic fibers to improve permeability to resin. Again, nothing in Mercuri et al. teaches or suggests the preparation of a composite of a plurality of sheets of compressed particles of exfoliated graphite, where at least one of said plurality of sheets has a characteristic different from at least one other of said plurality of sheets.

The Office Action of April 21, 2005 had acknowledged the patentability of the claims of the above-captioned application over the combination of White et al. and Mercuri et al., prior to the citation of Feldman et al.

However, the relevance of Feldman et al. to the invention of the above-captioned application is not fully understood. The cited Feldman et al. patent relates

to a composite of a plurality of woven materials, one of which can be formed of graphite, although there is no mention or citation in Feldman et al. of the use of compressed particles of exfoliated graphite. Nothing in Feldman et al. bears any resemblance or relevance to a composite article of a plurality of sheets of compressed particles of exfoliated graphite, where at least some of the sheets have distinct characteristics, where the composite may include either a non-porous or foraminous material.

As stated in the response of January 16, 2006, the skilled artisan would not be lead to Feldman et al. and, even if aware of Feldman et al., would not be led to the inclusion of a foraminous material in a composite of sheets of compressed particles of exfoliated graphite. Thus, claims 1, 29 and 39 (and claims depending therefrom) are indeed allowable as previously indicated, and allowance thereof is requested.

### **CONCLUSION**

Based on the foregoing amendments and remarks, it is believed the above-captioned application is in condition for allowance. Such action is earnestly sought. If there remains any matter which prevents the allowance of any of pending claims 1, 3-13, 29, 30 and 34-50, the Examiner is requested to call the undersigned, collect, at 615-242-2400 to arrange for an interview which may further expedite prosecution.

The Commissioner is authorized to charge any deficiency associated with the filing of this Response to Deposit Account 50-1202.

Respectfully submitted,



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